

Number EG 5924754 S 5 U-5

Date of Deposit Nov 7, 1995

I hereby certify that this patent fee is  
being deposited with the United States Postal

Service on Nov 17, 1995 at the Addressee's service address of 37 CFR 1.10 on the  
date indicated above and is addressed to the

Commissioner of Patents and Trademarks,

Washington, D.C. 20231.

**DECLARATION FOR PATENT APPLICATION**

**Below named inventor, I hereby declare that:**

**BRIGIN R. MCCAIN** FELFE & LYNN

**My resident, post office address and citizenship are as stated below next to  
my named name)**

**Brig R. McCain**

I believe (Signature) am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MONOCLONAL ANTIBODIES WHICH BIND TO TUMOR REJECTION ANTIGEN PRECURSOR MAGE-1, RECOMBINANT MAGE-1, AND MAGE-1 DERIVED IMMUNOGENIC PEPTIDE, the specification of which

( ) is attached hereto.

(X) was filed on February 1, 1994 as Application Serial No. 08/190,411  
and was amended on (1) May 2, 1994, (2) \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

**Foreign Priority Applications**

I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Priority Claimed**

\_\_\_\_\_  
**(Number)**      **(Country)**      **(Day/Month/Year Filed)**      Yes ( ) No ( )

\_\_\_\_\_  
**(Number)**      **(Country)**      **(Day/Month/Year Filed)**      Yes ( ) No ( )

**U.S. Priority Applications**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

**037,230**      **March 26, 1993**      **Pending**  
**(Applic. Serial No.)**      **(Filing Date)**      **(Status-patented/pending/abandoned)**

**PCT/US92/04354**      **May 22, 1992**      **Pending**  
**(Applic. Serial No.)**      **(Filing Date)**      **(Status-patented/pending/abandoned)**

LUD 5354-JEL/NDH

<u>807,043</u> (Applic. Serial No.)	<u>December 12, 1991</u> (Filing Date)	Pending (Status-patented/pending/abandoned)
<u>764,365</u> (Applic. Serial No.)	<u>September 23, 1991</u> (Filing Date)	Pending (Status-patented/pending/abandoned)
<u>728,838</u> (Applic. Serial No.)	<u>July 9, 1991</u> (Filing Date)	Pending (Status-patented/pending/abandoned)
<u>705,702</u> (Applic. Serial No.)	<u>May 23, 1991</u> (Filing Date)	Pending (Status-patented/pending/abandoned)

Power of Attorney

I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: John E. Lynch, Reg. No. 20,940; Peter F. Felte, Reg. No. 20,297; Alfred H. Hemingway, Jr., Reg. No. 26,736; Vincent M. Fazzari, Reg. No. 26,879; Norman D. Hanson, Reg. No. 30,946; Walter G. Weissenberger, Reg. No. 17,344; F. Brice Faller, Reg. No. 29,532; Andrew L. Tiajoloff, Reg. No. 31,575; John P. Luther, Reg. No. 32,261; Christine H. Tsai, Reg. No. 34,266; John A. Bauer, Reg. No. 32,554, and Patricia A. Pasqualini, Reg. No. 34,894, my attorneys with full power of substitution and revocation. Address all telephone calls to Norman D. Hanson, at (212) 688-9200. Address all correspondence to:

FELFE & LYNCH  
805 Third Avenue  
New York, New York 10022

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

JOC et al

1) Xiao-Tseng Chen  
Name/Sole or First Inventor

Signature

Date

Residence: Cornell Medical Center  
New York, New York 10021

Taiwan  
Citizenship

Post Office Address: Dept. of Pathology, New York Hospital  
Cornell Medical Center, New York, New York 10021

(2) Elisabeth Stockert  
 Full Name/Second Inventor Signature Date

Residence: 1275 York Avenue  
New York, New York 10021 Austria  
Citizenship

Post Office Address: 1275 York Avenue  
New York, New York 10021

(3) Yachi Chen  
 Full Name/Third Inventor Signature Date

Residence: 1275 York Avenue  
New York, New York 10021 U.S.A.  
Citizenship

Post Office Address: 1275 York Avenue  
New York, New York 10021

(4) Pilar Garin-Chesa  
 Full Name/Fourth Inventor Signature Date

Residence: Amriswilstrasse 7  
D-88400 Biberach, Germany Spanish  
Citizenship

Post Office Address: Amriswilstrasse 7  
D-88400 Biberach, Germany

(5) Wolfgang J. Rettig  
 Full Name/Fifth Inventor Signature Date

Residence: Amriswilstrasse 7  
D-88400 Biberach, Germany German  
Citizenship

Post Office Address: Amriswilstrasse 7  
D-88400 Biberach, Germany

MAILED 100%  
NOV 17 1995

Applicant/Patentee: Yao-Tseng Chen et al.

Serial/Patent No.: \_\_\_\_\_

Filed TRADEMARK Concurrently herewith

For: MONOCLONAL ANTIBODIES WHICH BIND TO TUMOR REJECTION ANTIGEN PRECURSOR MAGE-1,  
RECOMBINANT MAGE-1, AND MAGE-1 DERIVED IMMUNOGENIC PEPTIDES

Attorney's Docket No.: LUD 253.6-JEL/NDH

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Memorial Sloan-Kettering Cancer Center

ADDRESS OF ORGANIZATION 1275 York Avenue  
New York, New York 10021

TYPE OF ORGANIZATION

( ) UNIVERSITY OR OTHER INSTITUTE OF HIGHER EDUCATION  
(X) TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))  
( ) NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)  
( ) WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA  
( ) WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled MONOCLONAL ANTIBODIES WHICH BIND TO TUMOR REJECTION ANTIGEN PRECURSOR MAGE-1, REOMBINANT MAGE-1, AND MAGE-1 DERIVED IMMUNOGENIC PEPTIDES by inventor(s) Yao-Tseng Chen et al.

described in

(x) the specification filed herewith  
( ) application Serial No. , filed  
( ) Patent No. , issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

Cont'd

Number F6 592773413 US

Date of Deposit Nov 17, 1995

I hereby certify that this paper or fee is

FELFE & LYNCH  
805 Third Avenue  
New York, New York 10022  
(212) 688-9200

being deposited with the United States Postal Service "Express Mail Post Office to Reseeker" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Verified Statement (Declaration) Claiming Small Entity Status  
37 CFR 1.9(f) and 1.27(d)) - Nonprofit Organization

FELFE & LYNCH

(Printed name)

Brian R. Malone  
Brian R. Malone

Applicant/Patentee: Yao-Tseng Chen et al.  
Serial/Patent No.: \_\_\_\_\_  
Filed/Issued: Concurrently herewith  
For: MONOCLONAL ANTIBODIES WHICH BIND TO TUMOR REJECTION ANTIGEN PRECURSOR MAGE-1,  
RECOMBINANT MAGE-1, AND MAGE-1 DERIVED IMMUNOGENIC PEPTIDES  
Attorney's Docket No.: LUD 253.6-JEL/NDH

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL     SMALL BUSINESS CONCERN     NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Lloyd J. Old  
TITLE IN ORGANIZATION Director  
ADDRESS OF PERSON SIGNING 1345 Avenue of the Americas  
New York, New York 10105

---

SIGNATURE

DATE

NAME OF PERSON SIGNING Edward A. McDermott  
TITLE IN ORGANIZATION Secretary and General Counsel  
ADDRESS OF PERSON SIGNING 1345 Avenue of the Americas  
New York, New York 10105

---

SIGNATURE

DATE

PELPE & LYNCH  
805 Third Avenue  
New York, New York 10022  
(212) 688-9200



Applicant/Patentee: Yao-Tseng Chen et al.

Serial/ Patent No.: \_\_\_\_\_

Filed/Issued: Concurrently herewith

For: MONOCLONAL ANTIBODIES WHICH BIND TO TUMOR REJECTION ANTIGEN PRECURSOR MAGE-1,  
RECOMBINANT MAGE-1, AND MAGE-1 DERIVED IMMUNOGENIC PEPTIDES

Attorney's Docket No.: LUD 253.6-JEL/NDH

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Memorial Sloan-Kettering Cancer Center

ADDRESS OF ORGANIZATION 1275 York Avenue  
New York, New York 10021

TYPE OF ORGANIZATION

( ) UNIVERSITY OR OTHER INSTITUTE OF HIGHER EDUCATION  
(X) TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))  
( ) NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)  
( ) WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA  
( ) WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled MONOCLONAL ANTIBODIES WHICH BIND TO TUMOR REJECTION ANTIGEN PRECURSOR MAGE-1, REOMBINANT MAGE-1, AND MAGE-1 DERIVED IMMUNOGENIC PEPTIDES by inventor(s) Yao-Tseng Chen et al.

described in

(x) the specification filed herewith  
( ) application Serial No. \_\_\_\_\_, filed  
( ) Patent No. \_\_\_\_\_, issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

Cont'd

PELFE & LYNCH  
805 Third Avenue  
New York, New York 10022  
(212) 688-9200

Applicant/Patentee: Yao-Tseng Chen et al.  
Serial/Patent No.: \_\_\_\_\_  
Filed/Issued: Concurrently herewith  
For: MONOCLONAL ANTIBODIES WHICH BIND TO TUMOR REJECTION ANTIGEN PRECURSOR MAGE-1,  
RECOMBINANT MAGE-1, AND MAGE-1 DERIVED IMMUNOGENIC PEPTIDES  
Attorney's Docket No.: LUD 253.6-JEL/NDH

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL     SMALL BUSINESS CONCERN     NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING \_\_\_\_\_  
TITLE IN ORGANIZATION \_\_\_\_\_  
ADDRESS OF PERSON SIGNING \_\_\_\_\_

---

SIGNATURE

DATE

NAME OF PERSON SIGNING \_\_\_\_\_  
TITLE IN ORGANIZATION \_\_\_\_\_  
ADDRESS OF PERSON SIGNING \_\_\_\_\_

---

SIGNATURE

DATE

PELPE & LYNCH  
805 Third Avenue  
New York, New York 10022  
(212) 688-9200

Number 100-111-14  
Date of Deposit NOV. 17, 1992  
I hereby certify that this paper or fee is  
being deposited with the United States Postal  
Service "Express Mail Post Office to  
Addressee" service under 37 CFR 1.10 on the  
date indicated above and is addressed to the  
Commissioner of Patents and Trademarks,  
Washington, D.C. 20591.

253.6-JEL/NDH

DECLARATION FOR PATENT APPLICATION

BRIAN R. MC LAUGHLIN & LYNCH  
As a ~~co~~ named inventor, I hereby declare that:

My resident, post office address and citizenship are as stated below next to  
(Primary name.)

Brian R. Mc Jane

(Signature) I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MONOCLONAL ANTIBODIES WHICH BIND TO TUMOR REJECTION ANTIGEN PRECURSOR MAGE-1, RECOMBINANT MAGE-1, AND MAGE-1 DERIVED IMMUNOGENIC PEPTIDES, the specification of which

(X) is attached hereto.

( ) was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_  
and was amended on (1) \_\_\_\_\_, (2) \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

Foreign Priority Applications

I hereby claim foreign priority benefits under Title 35, United States Code 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes ( )	No ( )
----------	-----------	------------------------	---------	--------

U.S. Priority Applications

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>037,230</u> (Applic. Serial No.)	<u>March 26, 1993</u> (Filing Date)	<u>Pending</u> (Status-patented/pending/abandoned)
<u>PCT/US92/04354</u> (Applic. Serial No.)	<u>May 22, 1992</u> (Filing Date)	<u>Pending</u> (Status-patented/pending/abandoned)
<u>807,043</u> (Applic. Serial No.)	<u>December 12, 1991</u> (Filing Date)	<u>Pending</u> (Status-patented/pending/abandoned)

<u>764,364</u> (Applic. Serial No.)	<u>September 23, 1991</u> (Filing Date)	<u>Pending</u> (Status-patented/pending/abandoned)
<u>728,838</u> (Applic. Serial No.)	<u>July 9, 1991</u> (Filing Date)	<u>Pending</u> (Status-patented/pending/abandoned)
<u>705,702</u> (Applic. Serial No.)	<u>May 23, 1991</u> (Filing Date)	<u>Pending</u> (Status-patented/pending/abandoned)

Power of Attorney

I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: John E. Lynch, Reg. No. 20,940; Peter F. Felfe, Reg. No. 20,297; Alfred H. Hemingway, Jr., Reg. No. 26,736; Vincent M. Fazzari, Reg. No. 26,879; Hallie R. Levie, Reg. No. 31,116; Charles A. Blank, Reg. No. 17,419; Norman D. Hanson, Reg. No. 30,946; Walter G. Weissenberger, Reg. No. 17,344; F. Brice Faller, Reg. No. 29,532; Andrew L. Tiajoloff, Reg. No. 31,575; John P. Luther, Reg. No. 32,261; Christine H. Tsai, Reg. No. 34,266 and John A. Bauer, Reg. No. 32,554, my attorneys with full power of substitution and revocation. Address all telephone calls to Norman D. Hanson, at (212) 688-9200. Address all correspondence to:

**FELFE & LYNCH  
805 Third Avenue  
New York, New York 10022**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<u>(1) Yao-Tseng Chen</u> Full Name/Sole or First Inventor	<u>Signature</u>	<u>Date</u>
Residence: <u>Cornell Medical Center</u> <u>New York, New York 10021</u>		<u>U.S.A.</u> Citizenship
Post Office Address: <u>Dept. of Pathology, New York Hospital</u> <u>Cornell Medical Center, New York, New York 10021</u>		

<u>(2) Elisabeth Stockert</u>	<u>Full Name/Second Inventor</u>	<u>Signature</u>	<u>Date</u>
<u>Residence:</u>	<u>1275 York Avenue New York, New York 10021</u>	<u>U.S.A.</u>	<u>Citizenship</u>
<u>Post Office Address:</u>	<u>Memorial Sloan-Kettering Cancer Center 1275 York Avenue, New York, New York 10021</u>		
<u>(3) Yachi Chen</u>	<u>Full Name/Third Inventor</u>	<u>Signature</u>	<u>Date</u>
<u>Residence:</u>	<u>1275 York Avenue New York, New York 10021</u>	<u>U.S.A.</u>	<u>Citizenship</u>
<u>Post Office Address:</u>	<u>Memorial Sloan-Kettering Cancer Center 1275 York Avenue, New York, New York 10021</u>		
<u>(4) Pilar Garin-Chesa</u>	<u>Full Name/Fourth Inventor</u>	<u>Signature</u>	<u>Date</u>
<u>Residence:</u>	<u>Cornell Medical Center New York, New York 10021</u>	<u>U.S.A.</u>	<u>Citizenship</u>
<u>Post Office Address:</u>	<u>Dept. of Pathology, New York Hospital Cornell Medical Center, New York, New York 10021</u>		
<u>(5) Wolfgang J. Rettig</u>	<u>Full Name/Fifth Inventor</u>	<u>Signature</u>	<u>Date</u>
<u>Residence:</u>	<u>1275 York Avenue New York, New York 10021</u>	<u>U.S.A.</u>	<u>Citizenship</u>
<u>Post Office Address:</u>	<u>Memorial Sloan-Kettering Cancer Center 1275 York Avenue, New York, New York 10021</u>		

(6) Pierre van der Bruggen  
 Full Name/Sixth Inventor

Signature

Date

Residence: Avenue Hippocrate 74, UCL 7459  
B-1200 Brussels, Belgium

Belgium  
 Citizenship

Post Office Address: Avenue Hippocrate 74, UCL 7459  
B-1200 Brussels, Belgium

(7) Thierry Boon-Falleur  
 Full Name/Seventh Inventor

Signature

Date

Residence: Avenue Hippocrate 74, UCL 7459  
B-1200 Brussels, Belgium

Belgium  
 Citizenship

Post Office Address: Avenue Hippocrate 74, UCL 7459  
B-1200 Brussels, Belgium

(8) Lloyd J. Old

Full Name/Eighth Inventor

Signature

Date

Residence: 1345 Avenue of the Americas  
New York, New York 10105

U.S.A.  
 Citizenship

Post Office Address: 1345 Avenue of the Americas  
New York, New York 10105